

EXHIBIT 23

DORETHEA FRANKLIN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

BLACK LOVE RESISTS IN THE RUST by and through
MARIELLE SHAVONNE SMITH and CHARIS HUMPHREY
on behalf of its members, SHAKETA REDDEN,
DORETHEA FRANKLIN, TANIQUA SIMMONS, DE'JON HALL,
JOSEPH BONDS, CHARLES PALMER, SHIRLEY SARMIENTO,
EBONY YELDON, and JANE DOE,
individually and on behalf of a class of all
others similarly situated,

Plaintiffs,

-vs-

CITY OF BUFFALO, N.Y., BYRON B. BROWN,
Mayor of the City of Buffalo, in his individual and official
capacities,
BYRON C. LOCKWOOD, Commissioner of the
Buffalo Police Department, in his individual
and official capacities,
DANIEL DERENDA, former Commissioner of the
Buffalo Police Department, in his individual capacity, AARON
YOUNG, KEVIN BRINKWORTH, PHILIP SERAFINI,
ROBBIN THOMAS,
UNKNOWN SUPERVISORY PERSONNEL 1-10,
UNKNOWN OFFICERS 1-20, each officers of the
Buffalo Police Department,
in their individual capacities,

Defendants.

Examination Before Trial of
DORETHEA FRANKLIN, Plaintiff, taken pursuant to the Federal
Rules of Civil Procedure, in the law offices of HODGSON RUSS
LLP, The Guaranty Building, 140 Pearl Street, Suite 100,
Buffalo, New York, taken on May 15, 2023, commencing at
11:35 A.M., before NICHOLE WINANS, Notary Public.

1 A. He chased behind me and pulled me over.

2 Q. The officer who issued the tickets, drove up
3 behind you and put his lights on?

4 A. Yes.

5 Q. And you pulled over?

6 A. Yes.

7 Q. And could you describe what took place after you
8 pulled over?

9 A. He asked me who I was, and I asked what was he
10 pulling me over for, didn't have a clear reason
11 why he was pulling me over, then he started
12 searching for reasons to give me a ticket.

13 Q. When you say searching for reasons to give you a
14 ticket, did he ultimately tell you that your
15 windows were tinted?

16 A. After. That wasn't his original reason for
17 pulling me over, so I don't know what the -- but
18 after he started searching.

19 Q. Okay. So how long after the original --
20 withdrawn. How long after pulling you over did
21 he notify you that your windows were tinted?

22 A. About five, ten minutes.

23 Q. And at this point he wrote you these two tickets?

1 A. Yes.

2 Q. And one of the tickets is for the front
3 windshield being tinted, correct?

4 A. Yes.

5 Q. And the other is for the side windshield being
6 tinted?

7 A. Yes.

8 Q. Were those windows, in fact, tinted?

9 A. Yes.

10 Q. Okay. Have you challenged or disputed these
11 traffic tickets in a court of law?

12 A. Yes.

13 Q. What was the outcome?

14 A. Dismissed.

15 Q. You didn't have to pay any fine or --

16 A. No.

17 Q. -- any penalty of any kind?

18 A. No.

19 Q. Were you arrested on this occasion?

20 A. I get -- is an arrest when they give you the
21 summons to go to court?

22 Q. Well, that's a good question, so I'm going to
23 make a distinction. No. Were you taken away